



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt  
Governor

Kathleen Clarke  
Executive Director

Lowell P. Braxton  
Division Director

1594 West North Temple, Suite 1210

PO Box 145801

Salt Lake City, Utah 84114-5801

801-538-5340

801-359-3940 (Fax)

801-538-7223 (TDD)

June 5, 2001

CERTIFIED MAIL

7000 0520 0021 7582 9224

Mr. Lanny Jensen  
598 West 300 North  
Richfield, Utah 84701

Re: Notice of Potential Non-Compliance & Division Directive, Cream Time Quarry,  
S/039/009, Sanpete County, Utah

Dear Mr. Jensen:

On April 25, and May 23, 2001, the Division inspected your Cream Time Quarry near Mayfield, Utah (inspection memos enclosed). During the inspections, Division staff expressed concern to your son, Zack, that the size of the quarry was close to exceeding the 5-acre disturbance threshold for a small mining operation. The operator was told not to expand beyond 5 acres without first completing reclamation of a portion of the mine site disturbance, or by filing and receiving approval of a large mine permit application. The results of the May 23, 2001 GPS survey gives reason to believe that your operations have now exceeded the 5-acre limit (6.06 acres of surface disturbance).

***You are hereby directed to contact the Division within 10 days of your receipt of this letter to schedule a meeting to discuss options to remedy this situation.*** Please contact Vicki Southwick, Executive Secretary, at (801) 538-5304 to arrange a meeting with the Associate Director to resolve this matter. Your failure to respond accordingly may result in the issuance of a formal Notice of Non-Compliance. This enforcement action could require an immediate suspension of mining operations, the filing of a large mine permit application and the posting of a transitional reclamation surety at \$5,000/acre.

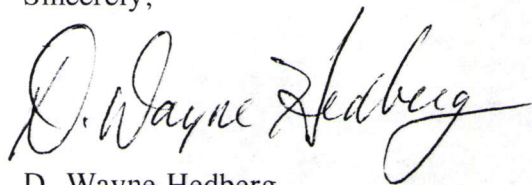
Until this issue is resolved, you must restrict your mining operations to the 5-acre area identified in your original Small Mining Notice of Intention. You should also mark the boundary

Page 2  
Lanny Jensen  
S/039/009  
June 5, 2001

of this 5-acre area with appropriate markers to ensure that operations are not conducted outside of the permit area.

If you have any questions regarding this notice, please contact me at (801) 538-5286, or Lynn Kunzler at 538-5310. Thank you for your immediate attention to this matter.

Sincerely,

A handwritten signature in black ink, reading "D. Wayne Hedberg". The signature is fluid and cursive, with the first name "D." and last name "Hedberg" clearly legible.

D. Wayne Hedberg  
Permit Supervisor  
Minerals Regulatory Program

jb  
Enclosures: Inspection memos 4-25-01 and 5-23-01  
cc: Mary Ann Wright, DOGM  
Lynn Kunzler, DOGM  
S39-09.ltr